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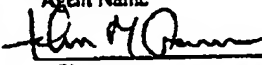
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Heese et al.
Serial No. : 10/665,081
Filed : September 16, 2003
For : STABLE DRUG FORM FOR ORAL
ADMINISTRATION WITH BENZIMIDAZOLE
DERIVATIVES AS ACTIVE INGREDIENT AND
PROCESS FOR THE PREPARATION THEREOF

Examiner : Page, Thurman K.
Group Art Unit : 1615

| | |
|---|-------------------|
| CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8 | |
| I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below at the facsimile number 571-273-8300. | |
| John M. Genova | 32,224 |
| Agent Name | PTO Reg. No. |
|  | 22 November 2005 |
| Signature | Date of Signature |

Mail Stop Amendment
Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

Attn: Examiner Thurman K. Page
Facsimile: 571-273-8300
Pages: 10 pages total

AMENDMENT

Sir:

Applicants submit this communication in response to the Office Action, mailed August 30, 2005. As this communication is being submitted before the end of the three-month shortened statutory period for reply, no extension of time is necessary.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks begin on page 8 of this paper.

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Attorney Docket No. 1103326-0599 (CON)
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objected to as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicants have made a good faith effort to remove the basis of the objections under 37 C.F.R. §1.75(c) with the claim amendments. With specific regard to the objection to claims 5, 8, 10, 14, 15, 22-24, 26 and 27, Applicants respectfully submit that these claims do further limit the subject matter of a previous claim. For example, the tenside (genus) as recited by claim 4 is further defined by claim 5 as being sodium lauryl sulfate, sorbitan fatty acid ester or polyethylene sorbitan fatty acid ester (species).

Withdrawal of the §1.75(c) is requested.

CONCLUSION

Upon entry of this Amendment, claims 1-20 and 25-27 are pending. Applicants respectfully submit that the application is in condition for allowance, which action is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fee which may be due in connection with this communication to Deposit Account No. 23-1703.

Dated: 22 November 2005

Respectfully submitted,



John M. Genova
Reg. No. 32,224

Customer No. 007470
Attorney Direct Dial: (212) 819-8832